



# APPLICATION FOR REGISTRATION OF TRADEMARK / SERVICE MARK

State Form 4430 (R5 / 1-03)

Approved by the State Board of Accounts, 1994

Filing Fee: \$10.00

IC 24-2-1-4

**Todd Rokita**  
Secretary of State  
**TRADEMARKS DIVISION**  
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INSTRUCTIONS: See reverse side

## APPLICANT: INDIVIDUAL, ASSOCIATION, PARTNERSHIP, CORPORATION, OTHER

1. Name of applicant			Applicant telephone number (      )
2. Address (street and number)	City	State	ZIP code
3. Contact Person (Name and address of contact if correspondence about this application should go to a party other than the signatory.)			Contact telephone number (      )
4. The Applicant is ONE of the following: (check the appropriate box)			
<input type="checkbox"/> Individual <input type="checkbox"/> Association <input type="checkbox"/> Partnership of any type (Attach name and address of all partners)			
<input type="checkbox"/> Corporation (State of Incorporation) _____ <input type="checkbox"/> Other (Describe) _____			

## TRADEMARK / SERVICE MARK INFORMATION

5. Trademark / Service Mark: (Include all words to be registered.)	
6. Does the Mark involve a symbol, design or any nonstandard type face? If "yes," then briefly describe, in 30 words or less, major feature(s) of design. <input type="checkbox"/> Yes <input type="checkbox"/> No _____ _____	
7. DISCLAIMER: Disclaim words, phrases, and pictorial features which are merely descriptive of the goods or services or are primarily geographic. Names of cities, states, and designation of corporate status are normally considered descriptive; e.g., <i>Inc., company, Indiana, USA, etc.</i> No claim is made to the exclusive right to use the symbol / word(s) _____ apart from the Mark as shown.	
8. Class number (Select only ONE class per form -- see reverse for class)      → <input type="text"/>	
9. Concisely describe specific goods (classes 1-52) or services (classes 53-60) used in connection with the Mark. The Mark is used on, or in connection with: _____ _____	
10. Date the Mark was first used in commerce in Indiana by applicant or predecessor : (m,d,y)	Date the Mark was first used in commerce anywhere in USA, including Indiana : (m, d, y)
11. If the Mark is used in selected classes, check all boxes in either (a) or (b) that apply to how the Mark is used. Selection must correspond with the class chosen in #8. (a) Trademark classes 1-52 <b>only</b> (By applying it:) <input type="checkbox"/> Directly to goods <input type="checkbox"/> to the containers for the goods <input type="checkbox"/> to tags or labels affixed to the goods <input type="checkbox"/> to tags or labels affixed to the containers for the goods <input type="checkbox"/> by displaying the mark in physical association with the goods in the sale or distribution thereof <input type="checkbox"/> Other (please specify) _____ (b) Service Mark classes 53-60 <b>only</b> (By displaying it:) <input type="checkbox"/> in advertisements of the service <input type="checkbox"/> on documents, wrappers, or articles delivered in connection with the service rendered <input type="checkbox"/> Other (please specify) _____	
12. If either of the above first uses of the Mark were by a predecessor in business; give name, address, and specify which use(s) of the Mark were by predecessor.	

## VERIFICATION STATEMENT

I, _____ affirm under penalty of perjury that (1) I am: (check box that applies) <input type="checkbox"/> the individual owner, <input type="checkbox"/> a partner, or <input type="checkbox"/> an officer (title) _____ of applicant; (2) I have read this application and its contents / specimens are true and complete to the best of my knowledge; (3) The Mark is now in use in commerce; (4) (i) I am the owner of the applied for Mark and no other person or organization has the right to use this trademark / service mark in Indiana either in identical form or in a form so resembling it as might be calculated to deceive or be mistaken for it, or (ii) written consent by the registrant to applicant's use has been filed with the Secretary of State.	
Signature	Date

## INSTRUCTIONS

1. If the Mark is the same or resembles a Mark presently registered in this state, attach an affidavit of consent by registrant, signed and verified under oath.
2. Section #5 should contain all the words you wish to register, even if Mark involves a symbol or design.
3. Only complete section #7 and #12 if applicable. All other sections should be completed.
4. Approximate dates of first use are acceptable in section #10. These dates must be prior to the date of signing this application.
5. Include three (3) flat specimens no larger than 8.5" x 11." If section #6 was answered 'yes,' then an additional specimen must be included. This specimen should be on white plain paper showing **only** the Mark, in black ink and suitable for computer scanning.
6. Please visit our office on the web at [www.sos.in.gov](http://www.sos.in.gov).

## REQUIREMENTS FOR SPECIMENS: THREE (3) SPECIMENS MUST ACCOMPANY THIS FORM

1. The specimens must be actual samples of how the Mark is currently being used in commerce. The specimens may be identical or they may be examples of three different uses showing the same Mark.
2. If the Mark is **used on goods** (Classes 1-52), examples of acceptable specimens are tags or labels which are attached to the goods, displays associated with the goods, or photographs of the goods showing use of the Mark on the goods themselves. Invoices, letterhead, business cards, and brochures are generally not acceptable specimens for goods.
3. If the Mark is **used for services** (Classes 53-60), the specimens must show the Mark and **include some clear reference to the type of services rendered under the Mark**. Examples of acceptable specimens are signs, brochures about the services, advertisements, business cards or stationery, and photographs which show the Mark either as it is used in the rendering or promoting of the services.

## DISCLAIMERS:

Descriptive words, phrases, and pictorial features which are essentially or merely descriptive of the character, quality, or intended function of the goods or services may not be claimed for registration except when specifically associated with other registrable features; in which case the descriptive matter must be disclaimed, unless the applicant can prove substantially exclusive and continuous use in this state or elsewhere for the five (5) years next proceeding the date of the filing of the application for registration. IC 24-2-1-3

## FILING NOTES:

1. **Three (3) specimens and a separate nonrefundable check or money order (cash is NOT acceptable) in the amount of \$10.00, made to the order of Secretary of State of Indiana, must accompany this completed application.**
2. A separate application (**and \$10.00 fee**) must be filed for each Mark the applicant wishes to register. Likewise, to register more than one classification of the same Mark, a separate application (**and \$10.00 fee**) must be filed for each. All forms may be photocopied and submitted on plain paper.
3. Trademark / Service Mark registration lasts a period of ten years. A renewal application may be filed up to six months in advance of expiration.

## CHOOSE CLASS (ONE ONLY) THAT BEST DESCRIBES GOODS OR SERVICES THAT THE MARK IS USED IN CONNECTION WITH:

### TRADEMARK CLASSES (MANUFACTURING OF GOODS)

1. Raw or partly prepared materials
2. Receptacles
3. Baggage, animal equipments, portfolio and pocketbooks
4. Abrasives and polishing materials
5. Adhesives
6. Chemicals and chemical compositions
7. Cordage
8. Smokers' articles, not including tobacco products
9. Explosives, firearms, equipments and projectiles
10. Fertilizers
11. Inks and inking materials
12. Construction materials
13. Hardware and plumbing and steam-fitting supplies
14. Metals and metal castings and forgings
15. Oils and greases
16. Paints and painter's materials
17. Tobacco products
18. Medicines and pharmaceutical preparations
19. Vehicles
20. Linoleum and oiled cloth
21. Electrical apparatus, machines and supplies
22. Games, toys and sporting goods
23. Cutlery, machinery, and tool, and parts thereof
24. Laundry appliances and machines
25. Locks and safes
26. Measuring and scientific appliances
27. Horological instruments
28. Jewelry and precious-metal ware
29. Brooms, brushes and dusters
30. Crockery, earthenware and porcelain

31. Filters and refrigerators
32. Furniture and upholstery
33. Glassware
34. Heating, lighting and ventilating apparatus
35. Belting, hose, machinery packing, and nonmetallic tires
36. Musical instruments and supplies
37. Paper and stationery
38. Prints and publications
39. Clothing
40. Fancy goods, furnishings and notions
41. Canes, parasols and umbrellas
42. Knitted, netted and textile fabrics, and substitutes thereof
43. Thread and yarn
44. Dental, medical and surgical appliances
45. Soft drinks and carbonated waters
46. Foods and ingredients of foods
47. Wines
48. Malt beverages and liquors
49. Distilled alcoholic liquors
50. Cosmetics and toilet preparations
51. Detergents and soaps
52. Merchandise not otherwise classified

### SERVICE MARK CLASSES (SERVICES RENDERED TO THE PUBLIC)

53. Miscellaneous
54. Advertising and business
55. Insurance and financial
56. Construction and repair
57. Communication
58. Transportation and storage
59. Material treatment
60. Education and entertainment